

10/541048
JC17 Rec'd PCT/PTO 24 JUN 2005

PATENT
Docket No.: 176/61442(6-1196)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	MILLER, et al.)
U. S. Serial No:	To be assigned)
Filed:	Herewith)
PCT International Application No:	PCT/US2004/000093)
Filed:	2 January 2004)
For :	HYBRIDIZATION-BASED BIOSENSOR CONTAINING HAIRPIN PROBES AND USE THEREOF)

INFORMATION DISCLOSURE STATEMENT

Mail Stop: PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

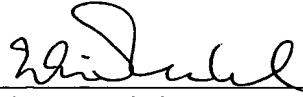
Dear Sir:

In compliance with 37 C.F.R. 1.56, 1.97, and 1.98, published art included in the International Search Report (copy enclosed) of the corresponding PCT application, is cited for consideration and listed on the enclosed PTO-1449 form as reference 1. This reference is relevant for the reasons given in the search report.

It is respectfully requested than an Examiner-initialed copy of this form be returned to the undersigned.

Respectfully submitted,

Date: June 24, 2005


Edwin V. Merkel
Registration No. 40,087

NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603-1051
Telephone: (585) 263-1128
Facsimile: (585) 263-1600

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	To Be Assigned 10/54104
				Filing Date	Herewith
				First Named Inventor	Miller et al.
				Art Unit	To Be Assigned
				Examiner Name	To Be Assigned
Sheet	1	of	1	Attorney Docket Number	176/61442

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	1	US-6 312 906 B1	6 November 2001	Cass et al.	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	2	Du, et al., "Hybridization-Based Unquenching of DNA Hairpins on Au Surfaces: Prototypical "Molecular Beacon" Biosensors," <i>J Chem Soc</i> 125:4012-4013 (2003).	

Examiner Signature	Date Considered
-----------------------	--------------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

10/54104h

JC17 Rec'd PCT/PTO 24 JUN 2005

EXPRESS MAIL CERTIFICATE

DOCKET NO.: 176/61442

APPLICANT(S): MILLER et al.

TITLE: HYBRIDIZATION-BASED BIOSENSOR CONTAINING HAIRPIN PROBES AND
USE THEREOF

Certificate is attached to the Information Disclosure
Statement w/PTO-1449 form and 2 references of the above-named
application.


"EXPRESS MAIL" NUMBER: EV652970449US

DATE OF DEPOSIT: June 24, 2005

I hereby certify that this paper or fee is being
deposited with the United States Postal Service "Express Mail Post
Office to Addressee" service under 37 CFR 1.10 on the date
indicated above and is addressed to Mail Stop: PCT, Commissioner for
Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Shawn A. Lockett

(Typed or printed name of person
mailing paper or fee)


(Signature of person mailing
paper or fee)